



"The City With a Heart"

Sujendra Mishra, *Chair*  
Rick Biasotti, *Vice-Chair*  
Bob Marshall, Jr  
Mary Lou Johnson  
Kevin Chase  
Perry Petersen  
Joe Sammut

## **AGENDA**

### **PLANNING COMMISSION MEETING**

**July 17, 2012**  
**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

Planning Commission meetings are conducted in accordance with Roberts Rules of Order Newly Revised. You may address any agenda item by approaching the microphone until recognized by the Planning Commission Chair. All regular Planning Commission meetings are recorded and televised on CATV Channel 1 and replayed the following Thursday, at 2:00 pm. You may listen to recordings in the Community Development Department. Complete packets are available online at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov) and at the library. In compliance with the Americans with Disabilities Act, individuals requiring reasonable accommodation for this meeting should notify us 48 hours prior to meeting. Notices, agendas, and records for or otherwise distributed to the public at a meeting of the Planning Commission will be made available in appropriate alternative formats upon request by any person with a disability. Please make all requests to accommodate your disability to the Community Development Department 650-616-7074.

#### **ROLL CALL**

#### **PLEDGE OF ALLEGIANCE**

#### **1. APPROVAL OF MINUTES: June 19, 2012**

#### **2. COMMUNICATIONS**

#### **3. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** Individuals allowed three minutes, groups in attendance, five minutes. It is the Commission's policy to refer matters raised in this forum to staff for investigation and/or action where appropriate. The Brown Act prohibits the Commission from discussing or acting upon any matter not agendaized pursuant to State Law.

#### **4. ANNOUNCEMENT OF CONFLICT OF INTEREST**

#### **5. PUBLIC HEARINGS** Note: If you challenge the below actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

##### **A. 1150 El Camino Real (APN 014-316-280)**

Zoning: PD (Planned Development)

Environmental Determination: Categorical Exemption

Request for a Conditional Use Permit to allow a Farmer's Market per Section 12.96.190.C of the San Bruno Municipal Code. San Bruno Chamber of Commerce (Applicant) The Shops at Tanforan (Owner) **UP12-006.**

## **6. DISCUSSION**

### **A. CITY STAFF DISCUSSION**

- **Select the August 16, 2012 Architectural Review Committee members**
- **Update on Development Activity**

### **B. PLANNING COMMISSION DISCUSSION**

## **7. ADJOURNMENT**

The next regular Planning Commission Meeting will be held on August 21, 2012 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



## **"The City With a Heart"**

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Sujendra Mishra, *Chair*  
Rick Biasotti, *Vice Chair*  
Mary Lou Johnson  
Perry Petersen  
Kevin Chase  
Joe Sammut  
Bob Marshall, Jr.

### **MINUTES PLANNING COMMISSION MEETING**

**June 19, 2012**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:02 pm.**

#### **ROLL CALL**

|                              | <b><u>Present</u></b> | <b><u>Absent</u></b>   |
|------------------------------|-----------------------|------------------------|
| <b>Chair Mishra</b>          | <b>X</b>              |                        |
| <b>Vice Chair Biasotti</b>   | <b>X</b>              |                        |
| <b>Commissioner Sammut</b>   | <b>X</b>              |                        |
| <b>Commissioner Marshall</b> | <b>X</b>              |                        |
| <b>Commissioner Petersen</b> | <b>X</b>              |                        |
| <b>Commissioner Chase</b>    | <b>X</b>              | <b>Arrived at 7:35</b> |
| <b>Commissioner Johnson</b>  | <b>X</b>              |                        |

#### **STAFF PRESENT:**

Planning Division: Community Development Director: Aaron Aknin  
Associate Planner: Laura Russell  
Assistant Planner: Matt Neuebaumer  
Recording Secretary: Shauna Williams

Pledge of Allegiance: Commissioner Sammut

#### **1. Approval of Minutes – April 17, 2012**

**Motion to Approve Minutes of April 17, 2012 Planning Commission meeting.**

**Petersen/ Biasotti**

VOTE: 6-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

#### **2. Communication**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

Draft Transit Corridor Plan is available on line at [www.planbruno.org](http://www.planbruno.org)

Rebuild Crestmoor website is available at [www.rebuildcrestmoor.org](http://www.rebuildcrestmoor.org)

CD Director Aknin: The Planning Commission received an email from a citizen expressing concerns about alcohol consumption in the downtown area and the potential of fights occurring in the parking lots of Big Joes and 40's Pub. This type of complaint is not usually brought in front of the Planning Commission; however, the citizen did copy the email to the San Bruno Police Chief. Chief Telford did respond to the citizen's concerns and has also taken action by sending more patrol cars to the area. The existing bars and pubs are grandfathered in and must abide by certain performance standards. If the Police Chief declares that the business is not meeting these performance standards, a hearing will be set for the business owners to appear in front of the Planning Commission for a final decision on whether or not they are meeting the performance standards. I will keep you informed on any further action.

### 3. Public Comment

### 4. Announcement of Conflict of Interest

### 5. Public Hearings

#### A. 3850 Madera Avenue

**Request for a Use Permit to allow an addition which increases the gross floor area by greater than 50% (61%) and would exceed 2,800 square feet of living area (3,001 square feet) with a two-car garage per Sections per Sections 12.200.030.B.1 and 12.200.080.A.3, of the San Bruno Municipal Code. Beausoleil Architects (Applicant), Raquel and Bob Rebres (Owners) UP-12-003.**

*Associate Planner Russell:* Entered staff report.

Staff recommends that the Planning Commission **approve** Use Permit 12-003 based on the Findings of Fact 1-7, subject to Conditions of Approval (1-25).

*Chair Mishra* asked Commission if there were any questions for staff.

*Vice Chair Biasotti:* I see the floor area ratio is proposed as .51 and the zoning requirements allow up to .55. So this application is well below the threshold.

*Associate Planner Russell:* Correct, it does meet the development standards for floor area.

*Commissioner Marshall:* On condition #10, do you think we should have an asterisk on the gross floor area, so that in the future a new owner can clearly see that the floor area is not 3366 sq. ft? Isn't that what the staff report is explaining?

*Associate Planner Russell:* It is, in terms of a technical interpretation of the code. They intend to use it as a storage area but because it has a ceiling height of 7'-6" it is included in the floor area calculation.

*Commissioner Marshall:* What is the square footage of the storage area?

Public Comment Opened.

*Bob; Beausoleil Architects:* I wanted to clarify that the storage space is roughly 440 square feet and is not a heated space. Fortunately, the ceiling height is 7'-6" so in the future they can convert it if needed.

The owners wanted a simple addition and I believe the proposed design reflects that. I am available for any questions.

*Chair Mishra:* I own a house with the same floor plan and it is currently under construction. The plan proposes a dual roof without the support of a load-bearing wall. What is the reasoning behind the two-pitched roof? Why would you not tear off the roof completely and re-design?

*Bob; Beausoleil Architects:* Redesigning the entire roof is not in the budget and the property owner likes the look of the dual roof. We can put in a support beam in the back where we are taking out the wall, which will support the new trusses and the new roof.

*Chair Mishra:* In-between the storage room and the crawl space there is a retaining wall with two posts. Do you have any plans for this area?

*Bob; Beausoleil Architects:* We do not have plans to alter this area.

*Chair Mishra:* In my experience, water seeps into the house from this common area and you may want to implement some mitigated measures while digging in that back area to prevent the water overflow.

*Bob; Beausoleil Architects:* The property owner currently has a sump-pump in that location for those reasons. We hope to solve the water problem during construction.

*Chair Mishra:* As you implement you green features you should consider re-using that water supply.

Public Comment Closed.

**Motion to approve Use Permit 12-003 based on Findings of Fact (1-7) and Conditions of Approval (1-25).**

**Commissioner Petersen/ Marshall**

VOTE: 6-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

**Chair Mishra advised of a 10-day appeal period**

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, and with recommendations by staff, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with

the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.

6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.

### **CONDITIONS OF APPROVAL**

#### **Community Development Department - (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-003 shall not be valid for any purpose. Use Permit 12-003 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2012 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code or as storage. The residence must have the ability to park one vehicle in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
8. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.

9. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. If at any time in the future the property owner elects to finish the lower level storage into living area (habitable living space), the owner shall first obtain a building permit and comply with the building codes in effect at that time.
11. The applicant shall remove the storage shed in the left side yard or relocate it to be in compliance with the Municipal Code.

**Department of Public Services - (650) 616-7065**

12. Please note that the front property line is located 3.5 feet behind the sidewalk at Madera Way. No new fences, retaining walls, or other permanent structure shall be placed or constructed within 3.5 feet from back of sidewalk. S.B.M.C. 8.08.010.
13. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.
14. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010.
15. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
16. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Oakmont Drive. S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
17. Show the location of the existing or proposed sanitary sewer cleanout on the plans. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
18. Paint address number on face of curb near driveway approach. Black lettering on white background.
19. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
20. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail ST-03.
21. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020

22. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.020/110.

**Fire Department- (650) 616-7096**

23. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
24. Provide hard-wired smoke detectors with battery backup as required by building code.
25. Provide spark arrester for chimney if not currently in place.

**B. 100 Acaica Avenue**

**Request for a Use Permit to allow an addition which increases the gross floor area by greater than 50% and a Minor Modification to continue an 8'-0" street side yard setback where 10'-0" is required per Sections 12.200.030.B.1 and 12.120.010.A of the San Bruno Municipal Code. Jason Chan (Applicant), Cui Wei Chen (Owner) UP-12-005 & MM-12-001.**

*Assistant Planner Neuebaumer:* Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 12-005 and Minor Modification 12-001, based on Findings of Fact 1-9 and subject to Conditions of Approval 1-25.

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Marshall:* Is condition #7 necessary? Isn't Planning approval for a 2<sup>nd</sup> unit a city requirement for any zoning type?

*Assistant Planner Neuebaumer:* Yes, however, the Architectural Review Committee was concerned with the floor plan layout and how easily it could be converted to a 2<sup>nd</sup> unit. This condition would put future property owners on notice that this property is not a 2<sup>nd</sup> unit unless they receive Planning Division approval.

*Commissioner Marshall:* I don't think a deed restriction is necessary. The verbiage is in our code and it is a well-known requirement. Unless we have Finding of Facts because of the certain layout of this house and easy access for a 2<sup>nd</sup> unit, it should be removed. If we are going to assess this condition to this property we should be doing to all properties.

*CD Director Akin:* We have not set this kind of condition before. If we apply this condition to this application we should apply it to all properties with a similar floor plan.

*Commissioner Petersen:* I agree with Commissioner Marshall. I don't feel this condition should be assessed to this application. There have been plenty of properties with the same floor plan in the past and were not given this condition.

*Commissioner Marshall:* The deed restriction will be a hassle for lenders to lift.

*Commissioner Johnson:* I agree with Commissioner Marshall's comments. Unless there is some historical issue with 2<sup>nd</sup> unit conversions; I feel this condition is not necessary. I feel it requires some more review before the Planning Commission can make a decision on something of this nature.



*Commissioner Sammut:* It looks to me like the elevations on page A-4 within the staff report are labeled incorrectly.

*Assistant Planner Neuebaumer:* The west elevation is the side of the house. We define the front of the lot as the shortest street frontage. It is a corner lot; on the Santa Lucia side they have 40 ft of street frontage and would be considered the front of the lot.

*Commissioner Sammut:* So the front door and garage door are not on the front of the lot?

*Assistant Planner Neuebaumer:* Correct, and they have an Acacia address.

*Commissioner Johnson:* Is there something with the specific layout of the property that can be restructured to avoid the deed restriction requirement?

*Assistant Planner Neuebaumer:* Looking at the floor plan and overall site plan, they are limited on what they can do as far as their addition goes. There are two street trees that influenced the design of the addition. In order to have internal circulation they had to convert a portion of the garage into a hallway space to connect the existing single-family home with the proposed addition given the site restraints.

*Commissioner Petersen:* This proposal actually reduces the garage space from two cars to one car.

*Assistant Planner Neuebaumer:* It is going from a large 1-car garage to a smaller 1-car garage.

*Commissioner Marshall:* I noticed the garage only has one exit, does it need a secondary exit?

*CD Director Akin:* There is no requirement within the Zoning Code and I will check with the Building Official if there is anything in the Building Code.

*Commissioner Marshall:* It came up as a fire safety concern in South San Francisco for residential.

*Chair Mishra:* Most garage doors have a red emergency cord that can be used in case of a fire.

Public Comment Opened.

*Jason Chan; Architect:* Staff did a great job with the staff report. We want to keep the garage in the same location to avoid cutting down the city tree and having to relocate the curb cut. The property owner has small children and needs more room.

*Commissioner Johnson:* Does the owner agree with the conditions of approval, including condition #7?

*Jason Chan; Architect:* The property owner has no intention of converting the home into two units. The owner does not mind the condition and feels it does no harm.

*Commissioner Johnson:* So the property owner is not opposed to the deed restriction.

Public Comment Closed.

*Commissioner Johnson:* I would like to know how the Director feels about Condition 7.

*CD Director Akin:* If it weren't for the Architectural Review Committees recommendation, staff would not have included this condition in the staff report. I think if you do want to include it, we should include it consistently going forward. I spoke with the City Attorney before including this condition and he mentioned that some cities do this and that it is not unheard of. If the Planning Commission is comfortable not including this condition and letting our normal zoning and building laws take affect, then staff would have no issues removing the condition.

*Commissioner Johnson:* I would like to eliminate is a condition.

**Motion to approve Use Permit 12-005 and Minor Modification 12-001 based on Findings of Fact (1-9) and Conditions of Approval (1-25). With the removal of condition #7.**

**Commissioner Petersen/ Johnson**

VOTE: 7-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

**Chair Mishra advised of a 10-day appeal period**

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, and with recommendations by staff, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.
7. That any proposed single-family or two-family dwelling conforms to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time.
8. That the general appearance of the proposed building or structure, or modification, thereof, is in keeping with the character of the neighborhood.
9. That the minor modification will not be detrimental to adjacent real property.

**CONDITIONS OF APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-005 shall not be valid for any purpose. Use Permit 12-005 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the Summary of Hearing shall be photocopied and included on a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on June 19, 2012 labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
- ~~7. A deed restriction shall be recorded against the property prior to building permit final. The deed restriction shall prohibit the conversion of any portion of the home into a separate living unit without first obtaining Planning Division approval.~~
8. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the California Building Code or as storage. The residence must have the ability to park one vehicle in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.
9. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
10. Prior to Final Inspection, 15% of the site shall be landscaped and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director. The applicant shall submit a complete landscaping plan at the time of building permit submittal. No more than 80% of the lot shall consist of impervious surface.
11. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.
12. Please note that the property line is located 2.0 feet behind the sidewalk at Acacia Avenue and 5.5 feet behind the sidewalk at Santa Lucia Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2.0 feet from back of sidewalk along Acacia Avenue and 5.5 feet from the back of the sidewalk along San Felipe Avenue. S.B.M.C. 8.08.010.
13. The Applicant shall provide flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2010.

14. Encroachment Permit from Public Works Department is required prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010.
15. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all location where there are any raised or offset concrete sections greater than or equal to 3/4 -inch. S.B.M.C. 8.12.010.
16. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on Acacia Avenue. S.B.M.C. 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks and Recreation Services for any new street tree.
17. If not present, the applicant shall install a sanitary sewer lateral clean-out at property line per City standards detail SS-01
18. Paint address number on face of curb near driveway approach. Black lettering on white background.
19. Erosion control plan and storm water pollution prevention plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform to the current NPDES requirements. S.B. Municipal Code 12.16.020.
20. Storm water from new and existing roof down spouts and other on-site drainage, shall be collected and drained to an underground storm water system or through an under sidewalk curb drain to the gutter per City standards detail SI-03.
21. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.MC. 12.16.020
22. Perform water demand calculation based requirements in Chapter 7 of the California Plumbing Code to confirm that the existing water service and meter are sufficient to serve water demand. If existing meter is undersized, a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of water meter. S.B.M.C. 10.14.020/110.
23. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
24. Provide hard-wired smoke detectors with battery backup as required by building code.
25. Provide spark arrester for chimney if not currently in place.

### **C. 1150 El Camino Real**

**Request for a Conditional Use Permit to allow a Farmer's Market per Section 12.96.190.C of the San Bruno Municipal Code. San Bruno Chamber of Commerce (Applicant) The Shops at Tanforan (Owner) UP12-006.**

**Commissioner Marshall & Commissioner Johnson recused themselves.**

*Associate Planner Russell:* Entered staff report.

Staff recommends that the Planning Commission **approve** Use Permit 12-006 based on the Findings of Fact 1-3, subject to Conditions of Approval (1-33).

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Petersen:* I think it is a great staff report, however, on page 4 it refers to 'peek mall parking requirements,' spelled p-e-e-k, is that the correct word?

*Associate Planner Russell:* No, I believe my grammar is wrong. It should be peak.

*Chair Mishra:* For condition #30, does it require the Police Chief and Community Development Director's approval, or is it one or the other?

*Associate Planner Russell:* It is both the Police Chief and the Community Development Director.

*Chair Mishra:* Conditions #17-18 state there should at least two van accessible ADA spaces, however I do not see them on the site plan. Is this requirement for in the vicinity of or is there a limit as to how far these van accessible ADA spaces are supposed to be?

*Associate Planner Russell:* You are correct; the spaces are not shown on the site plan. After the site plan was created, staff spoke with the Building Official about having those two van accessible ADA spaces. The spaces need to be within the immediately vicinity. Staff recommended that they reduce the amount of ADA spaces and stripe the two van accessible spaces or otherwise block it out to provide them immediately adjacent.

*Chair Mishra:* So, the ADA parking space, restroom, and sink will be provided on site. They are just not shown on the plan layout?

*Associate Planner Russell:* That is correct.

*Chair Mishra:* Was it ever considered to have the event in the Sear's parking lot? I feel it would be safer for pedestrians.

*Associate Planner Russell:* We did speak with the applicant about that. I would like to defer to the applicant for more information.

Public Comment Opened.

*Kirsten Pinochi; President of San Bruno Chamber of Commerce:* We did request that the Farmers Market be moved to the Shops at Tanforan. The market has been operating successfully every Sunday since May. The Chamber does a walk through on a weekly basis to make sure that all of the conditions are being met and that the market is running smoothly. The residents of San Bruno are enjoying the Farmers Market.

*Linda Larson; General Manager Shops at Tanforan:* What was your question?

*Chair Mishra:* Was it ever considered to have the event in the Sear's parking lot?

*Linda Larson; General Manager Shops at Tanforan:* There are a couple of issues; first, we don't own that property, it is owned by Sears. You would have to approach Sears for that. You are welcome too. I would be happy to approach them on your behalf but that is not what was requested of me.

*Alan; Assistant Director Pacific Coast Farmers Market Assoc:* I would like to thank the Chamber, Shops at Tanforan and city staff for allowing us to operate on a Temporary Use Permit since May. The market has been operating well but has not reached full capacity. We would like to ask the Commission for some leniency on Conditions 18 & 19. Given the fact that we are half the capacity we would like to ask that we

only have one ADA restroom and sink on site until the market reaches full capacity. We could utilize the money saved for marketing purposes. Lastly, the verbiage for the fire extinguishers states they shall be mounted to a permanent location. Being that the market only operates on Sundays and all tents and booths are temporary, I would like to have that condition revised. I would like to propose that we place the fire extinguisher in a visible location at the information booth.

*Commissioner Petersen:* I would like to ask staff what they feel the Fire Department meant by a fixed location.

*CD Director Akin:* I think the Fire Departments intent is to have the fire extinguishers in a centrally located and consistent location. We can also address the ADA requirements to the satisfaction of the Building Official.

*Alan; Assistant Director Pacific Coast Farmers Market Assoc:* Thank you.

*Linda Larson; General Manager Shops at Tanforan:* I did not receive a copy of the staff report nor was I advised of any conditions or requirements imposed on the property owner. There are also many demands being placed on the property owner that I would like to discuss. It appears that there is a demand for a new crosswalk and some directional signage. These are large and impactful requests of the property owner. By not being the applicant, I have not had the benefit of reading the documents and I have not been made aware of the demands put on ownership. I need to know them before I can let you proceed. I also think I have the right to make some statements as it relates to our desire to have the restrictions on signage and the demands for the crosswalk to be removed.

*Chair Mishra:* I am going to close public comment and then we will address your concerns.

Public Comment Closed.

*Commissioner Petersen:* I would like to ask the Tanforan representative to come back to the podium to further discuss the concerns and possible solutions.

*Linda Larson; General Manager Shops at Tanforan:* The Chamber of Commerce is perceived as a competitor to the Shops at Tanforan, which could not be less true. When the Chamber approached us with the Farmers Market proposal we gladly opened our doors and supported the proposal. I did not receive a copy of the staff report nor was I informed of the requirements of this event and the financial impacts it will make on the property owner. These demands should not be on the current application because they are non-relevant to the proposed event. As the crosswalk is concerned, this property is a Planned Development in which the city was intimately involved in the development of this facility. We are partners, we are symbiotic, and we benefit from each other. This property was designed, developed, approved, constructed and inspected by every single aspect and department with the City of San Bruno. We have complied with the safety regulations, ADA regulations, and everything required of that facility was performed to the satisfaction of the City. You are veteran Planning Directors you know that you can't just place a crosswalk without understanding its impact, its costs, how it can be negative to traffic, and a number of other issues. I can tell you that I had it assessed for cost and feasibility, and I would have to completely renovate that area to meet ADA requirements, ramps, and re-locate utilities. It is not as simple as striping the pavement. This is at least a \$10,000 project. You are asking a lot of the host you knocked on the door of to let you in. I am at a loss of how to assist you in this regard.

*Commissioner Petersen:* I asked you if you had any possible resolutions for your concerns to allow this application to move forward.

*Linda Larson; General Manager Shops at Tanforan:* This is a city project and it has been in place successfully for many of years. People cross at various locations and have for years without the presence of a crosswalk.

*Commissioner Petersen:* So your proposed resolution is to temporarily or permanently dismiss the signage and crosswalk provisions to allow the proposed application to be approved. If the city finds it to be at such importance then you will bring it back to discuss.

*Linda Larson; General Manager Shops at Tanforan:* I have no problem with that. I believe the crosswalk will cause us to lose a parking space and that has way more monetary value than a crosswalk. The bigger picture here is that the Chamber of Commerce and the City of San Bruno are trying to create a community event for their citizens and need a parking lot and we have one, it's that simple. If you would like to move the event to Sears, I would be more than happy to approach them myself and create a case on your behalf. I would be happy to start that process now.

*Commissioner Chase:* I would like to thank you for expressing your concerns and I feel you brought forth some valid points.

*CD Director Akin:* As the general manager mentioned, there is a back-story to this issue. I first wanted to mention that both these conditions were placed as a direction of the City Council when we had the original meeting. Since 2007, the Shops at Tanforan have been operating without the required number of spaces. This is because of ADA improvements that were made to the Target level garage that eliminated about 200 parking spaces. They started to go through a parking amendment process several years ago. The direction at both the Planning Commission and the City Council meeting was they were okay with the lower parking requirement provided that the mall places directional signage on the property to direct parking in other vacant areas. The reason this requirement is being placed on this application is because you are taking up parking spaces and you are already below the legal parking requirements. This is something that will be a requirement whether or not the Farmers Market is onsite or not. In regards to the crosswalk, the City Council noticed that it would draw extra pedestrian activity to a certain area. With that being said, staff is willing to sit down with Tanforan and look at alternative ways for the pedestrians to get around in this certain area. I would recommend adding language to state that a crosswalk or additional pedestrian measures added to the satisfaction of the City Engineer.

*Commissioner Chase:* You are still set on condition #33 for additional signage?

*CD Director Akin:* This has been a strong direction from the City Council for many years.

*Commissioner Chase:* The mall manager stated that she did not get a copy of the staff report with the conditions of approval prior to attending the meeting tonight. The conditions of approval pertaining to the property owner will cost them money, so I understand why this is a problem.

*CD Director Akin:* The property owner has been informed of these items via email. However, we did err by not sending it to the property owner. It was sent to the owner but not addressed to the mall manager.

*Commissioner Chase:* Is there a way to continue this item until August so that we can solve these problems.

*CD Director Akin:* The Farmers Market can operate until mid August on the Temporary Use Permit.

*Commissioner Petersen:* How did the Farmers Market obtain approval for a Temporary Use Permit without the final requirements being met?

*CD Director Akin:* I think we are all in agreement with the lower parking level being used as the additional parking. The main concern is the directional signage.

*Commissioner Petersen:* I have visited the mall many times during seasonal shopping hours and I have never had trouble finding a parking space.

*CD Director Akin:* We can continue this item to the July meeting so that we have time to work out these issues with the mall management.

Commissioner Biasotti asked the mall manager to approach the Commissioners' table to discuss map of parking lot.

**Motion to continue Use Permit 12-006 to the next Planning Commission meeting.**

**Commissioner Petersen/ Biasotti**

VOTE: 5-0

AYES: All Commissioners Present.

NOES: None

ABSTAIN: Commissioners Marshall and Johnson had recused themselves and were not present for the vote.

**Chair Mishra advised that the item is continued to the next Planning Commission meeting.**

**6. Discussion**

- A. City Staff Discussion:** Commissioners Sammut, Biasotti, and Petersen volunteered for the July 10, 2012 Architectural Review Committee meeting.

The Treetops Apartments, now called Pacific Bay Vistas Apartments, is making amazing progress in construction. They will start renting out the first set of apartments in July 2012. The rental market has been doing well and this project should be successful.

The Cedar Mills Homes on the corner of Cedar and Pepper Drive have been advertising the homes for sale. I believe they are going for \$799,000 to \$850,000. I believe the homes will be selling out in the next few months.

**B. Planning Commission Discussion:**

Commissioner Marshall: I have been approached by some residents who are asking why mobile food vendors can operate without having to abide by the same parking exceptions as restaurants.

CD Director Akin: We'll get back to you at a future meeting.

Commissioner Sammut: Mike's Auto Sales has a couple of signs on the fence that states if you park your vehicle on the street and it blocks the view of the lot it will be towed. I would like to request that staff take a look at the signage and handle it appropriately.

CD Director Akin: We will take a look at that sign.

Chair Mishra: the Commission received a Sustainable San Mateo County booklet tonight. For those of you who would like to view it at home, the website is [www.sustainablesanmateo.org](http://www.sustainablesanmateo.org).

CD Director Akin: I would also recommend visiting the City's website in the near future to view our proposed Climate Action Plan.

**7. Adjournment**

Meeting was adjourned at 8:27 pm



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**Aaron Akin**

Secretary to the Planning Commission  
City of San Bruno

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**Sujendra Mishra**, Chair

Planning Commission  
City of San Bruno

**NEXT MEETING: July 17, 2012**

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT



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San Bruno, CA 94066  
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**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Laura Russell, AICP, *Associate Planner*  
Matt Neuebaumer, *Assistant Planner*  
Tony Rozzi, AICP, *Contract Associate Planner*  
Marc Zafferano, *City Attorney*

**PLANNING COMMISSION**

Sujendra Mishra *Chair*  
Rick Biasotti, *Vice-Chair*  
Kevin Chase  
Mary Lou Johnson  
Bob Marshall, Jr.  
Joe Sammut  
Perry Petersen

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. 5.A  
July 17, 2012**

**PROJECT LOCATION**

1. Address: 1150 El Camino Real – The Shops at Tanforan
2. Assessor's Parcel No: 014-316-280
3. Zoning District: P-D (Planned Development)
4. General Plan Classification: Regional Commercial

**EXHIBITS**

- A: Site Location
- B: Applicant Statement
- C: Site Plan

**REQUEST**

Request for a Conditional Use Permit to allow a Farmer's Market in the parking lot of the Shops at Tanforan per Section 12.96.190.C of the San Bruno Municipal Code. San Bruno Chamber of Commerce (Applicant) The Shops at Tanforan (Owner) **UP12-006**. The application was continued from the June 19, 2012 Planning Commission meeting.

**RECOMMENDATION**

Staff recommends that the Planning Commission **approve** Use Permit 12-006 based on the Findings of Fact 1-3, subject to Conditions of Approval (1-34).

**REVIEWING AGENCIES**

Community Development Department  
Public Services Department  
Police Department  
Fire Department

**LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on July 3, 2012.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, July 7, 2012.
3. The Planning Commission continued the project from the June 17, 2012 meeting.

**ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines

Class 1, Section 15301: Existing Facilities. The proposed project includes minor outdoor sales at a location where there is over 1.2 million square feet of retail and common area. Therefore, the project represents a negligible expansion of an existing use.

### **BACKGROUND**

The San Bruno Chamber of Commerce, in conjunction with Pacific Coast Farmers' Market (PCFM), has hosted a weekly farmers' market in Downtown San Bruno for several years. These markets have typically been held from late spring through early fall. Unfortunately, the number of vendors and customers dwindled in 2011. Due to this, the Chamber of Commerce has submitted a use permit application to move the Farmers' Market to The Shops at Tanforan. The Chamber and PCFM believe this location will have greater visibility, and therefore attract a greater number of vendors and customers.

The mall is within the Planned Development zoning district, which requires standards that are specific to the development. The exact type of allowed retail uses are not specified, nor are the locations of those uses specified. Given the fact that the existing rules most likely did not anticipate that outdoor sales would be part of usual mall operations, and that outdoor sales result in a different onsite dynamic, staff has determined that outdoor sales, such as a farmers' market, requires a use permit.

The first step of the review process was consideration by the City Council to confirm that the proposed use is consistent with the Planned Development. On April 24, 2012, the City Council made this determination. The City Council also requested two minor site changes to improve pedestrian safety and vehicle circulation. The first item was an improvement to pedestrian safety just north of the main entrance between the parking lot and the sidewalk leading to Barnes & Noble. The second was a permanent directional sign on the main internal road at the two-way drive aisle (west of the corner of JCPenney) to direct drivers to the Target and JCPenney parking structures. These items are addressed in the Analysis section below.

After City Council review, staff processed the application and received comments and conditions of approval from all applicable departments. The Community Development Director approved a Temporary Use Permit on May 16, 2012, which is valid for three months. The market has been operating every Sunday since May 20, 2012. The authority over the use permit to operate for the remainder of the year rests with the Planning Commission. Per the City Council's direction, the use permit would be good for the 2012 season and the applicant would have to reapply for future years.

On June 17, 2012, the Planning Commission reviewed the application and held a public hearing. At that meeting, the manager of the Shops at Tanforan expressed concerns regarding two of the conditions of approval (Conditions 32 and 33 as numbered in the June 19 staff report) related to the pedestrian improvements and permanent directional sign requested by the City Council. After considerable discussion, the Planning Commission motioned to continue the item to allow for resolution of the concerns. The issues raised at the meeting are discussed in the Analysis section below.

### **EXISTING CONDITIONS**

The Shops at Tanforan, originally known as Tanforan Mall, was developed 40 years ago as a regional shopping center and completely renovated in 2005. The mall features 3 anchor tenants, a 20 screen movie theater and over 1.2 million square feet of retail and common area. In addition to

the interior space, the mall is surrounded by surface parking lots and multi-structure parking structures. In total, the mall features over 4,300 parking spaces, which are used by customers and employees.

The mall is also currently going through a PD amendment process pertaining to the original parking requirement for the site. This amendment process, which relates to parking spaces that were eliminated during the renovation, is expected to be complete this fall.

### **SURROUNDING LAND USES**

North: Sneath Lane – P-D (Planned Development)  
South: Interstate 380 – U (Unclassified)  
East: Huntington Avenue – R-1 (Single Family Residential)  
West: El Camino Real – P-D (Planned Development)

### **PROJECT DESCRIPTION**

The San Bruno Chamber of Commerce, in conjunction with Pacific Coast Farmers' Market (PCFM), is proposing to hold a weekly farmers' market in the Shops at Tanforan parking lot. The market would be held on Sundays from 9:00 AM – 1:00 PM. The market began operating under the temporary use permit on May 20, 2012 and is proposed to run through November 18, 2012. There will be an estimated 50 booths at each market selling a variety of goods. They expect hundreds of customers to attend each market.

The market would be held in the section of the parking lot just north of the primary mall entrance along El Camino Real. In total, the market would be located on approximately 70 parking spaces. Customers would be able to utilize all mall parking spaces, but would most likely first use the area of parking adjacent to the market. This area also includes approximately 70 parking spaces, including the required amount of ADA parking.

The Chamber of Commerce has proposed a number of traffic and pedestrian safety measures including temporary signage, cones and barriers. Specifically, two aisles of the parking lot will be blocked off to create the market area. A pedestrian buffer area will separate pedestrians from the internal street. From El Camino Real, customers will be encouraged to enter the mall through the second entrance (in front of Petco) to disburse traffic and reduce the possibility of vehicles backing up onto El Camino Real. Additionally, PCFM will provide staff to oversee circulation and safety at each market. The Fire Department, Police Department and Public Service Department have all reviewed the project and included conditions of approval.

### **PUBLIC COMMENTS**

Staff sent a notice when the temporary use permit was being processed and the required legal notice on June 7, 2012. Staff received a phone call from the Target corporate office asking about whether the parking and circulation would impact their store. Staff explained the proposed location of the market and parking, and they were satisfied that the project would not impact Target.

### **ANALYSIS AND RECOMMENDATION**

The proposal requires a use permit because it consists of an outdoor retail use that was not specifically permitted by the Planned Development Permit. The City Council has confirmed that the proposed use is consistent with the overall Planned Development and the Community Development

Director has approved a temporary use permit to allow the market to begin operation. Since the market began on May 20, 2012, staff has not received any concerns from reviewing City Departments or members of the community. The proposed location is intended to increase visibility and viability of the market, which is a valuable amenity for residents of the City.

The Chamber of Commerce and Pacific Coast Farmers' Markets have considerable experience running the farmers' market that was located in downtown for several years. The applicant has considered the potential circulation and parking impacts and created a lay out that minimizes concerns.

Regarding parking, it is important to note that mall parking standards are set to handle peak mall parking requirements. Engineers and planners define the peak shopping center parking period as the top 10 busiest shopping days of the year. All of these days fall within the holiday shopping season and the farmers' market will end on November 18, 2012. Furthermore, the condition to install a permanent directional sign will help eliminate any potential conflicts with existing shopping or parking patterns. The General Manager of the mall has stated the hours and dates of the farmers' market were purposely set to avoid any conflicts with peak shopping periods.

Since the June Planning Commission meeting, staff has been in contact with representatives from the Shops at Tanforan to resolve the issues raised at the meeting. Staff had originally proposed a condition requiring a new crosswalk just north of the main entrance to connect the parking lot to the sidewalk leading to Barnes & Noble. After review and consideration, staff now recommends that the mall representatives work with Engineering staff to consider enhanced safety measures for pedestrians during market times for the purposes of this use permit. Condition 32 has been revised to reflect this, rather than the crosswalk. The second issue discussed at the June meeting was related to a permanent sign to direct drivers to the Target and JCPenney parking structures. The Shops at Tanforan ownership team has agreed to install the sign subject to a budget limit. Staff feels that an appropriate sign can be installed within their budget and has not altered the language of Condition 33.

### **Findings:**

*Pursuant to the City's Municipal Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by Staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

The proposed farmers' market will not be detrimental to the neighborhood because it is consistent with the Planned Development zoning and is compatible with the site and surrounding properties. The applicant will obtain all required Building and Fire Code permits to maintain the safety of participants and the surrounding neighborhood.

- 2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

The applicant is proposing an outdoor retail use at a regional commercial location. Vehicle traffic within the parking lot will be controlled with barriers, cones, and temporary signage. Additionally, customers will be encouraged to enter through the second mall entrance, reducing the possibility of traffic impacts. Therefore, staff determines that the project will not be detrimental to improvements in the neighborhood or to the general welfare of the City.

**3. The proposed development will be consistent with the general plan.**

The San Bruno General Plan designates the property as a regional commercial district. The proposed farmers' market is consistent with the general plan designation. Additionally, General Plan Policy ED-16 encourages cultural amenities such as a farmers' market.

**Recommendation:**

Based on the above analysis and Findings of Fact 1-3, staff recommends **approval** of Use Permit 12-006 subject to Conditions of Approval 1-34.

**FINDINGS OF FACT**

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given its quality architectural features and its general conformance to a majority of regulations as set forth in the Municipal Code.
3. The proposed development will be consistent with the general plan.

**CONDITIONS OF APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-006 shall not be valid for any purpose. Use Permit 12-006 shall expire on November 19, 2012.
2. This permit shall be subject to emergency suspension if the Chief of Police or her/his designated representative determines that its use does not conform to the required conditions or that continued use would constitute an immediate threat to the public health and/or safety.
3. The applicant shall conduct the farmers' market as described in the applicant support statement attached as Exhibit B.
4. The location of vendor booths shall be provided as shown in the site plan attached as Exhibit C. Minor revisions to the locations and other elements may be allowed subject to the approval of the Community Development Director.
5. The market shall be open to the public on Sundays from 9:00 AM to 1:00 PM, beginning on

May 20, 2012 and ending on November 18, 2012.

6. Vendors should begin the set-up process no earlier than 7:00 AM and finish clean-up operations no later than 3:00 PM.
7. The applicant shall direct vendors to park their personal vehicles in the rows to the north of the farmers' market site, on the north side of the drive aisle. Vendors' trucks with product shall be parked according to the attached site plan.
8. No amplified music shall be allowed beyond what has been approved by the Community Development Director.
9. All promotional or advertising signs shall be approved by Planning staff in advance.
10. The applicant shall remove all packaging and other litter from the site at the end of each market day. The applicant shall be responsible for leaving the site and the immediately surrounding area free of litter and any debris generated by either vendors or visitors at the end of each market day. The applicant shall not allow any litter or debris to enter the public right-of-way. Failure to clean-up the area could result in applicant being responsible for actual city clean-up costs.
11. The applicant is responsible for providing garbage and recycling services for the event.
12. Applicant shall comply with all State and Federal Stormwater regulations.
13. The applicant shall modify the proposed location of the road safety cones as follows: when vehicles enter the mall entrance at Commodore Drive and turn left at the drive aisle, the cone placement shall prohibit vehicles from making another immediate left into the first parking area.
14. Prior to the operation of the farmers' market, the applicant shall obtain all appropriate building and electrical permits from the Building Division and obtain the required inspections.
15. Each vender that uses electrical wiring or a generator shall first obtain an electrical permit from the Building Division. Electrical installations and uses shall comply with the 2010 California Electrical Code. Article 525 shall prevail.
16. The applicant shall provide vendor requirements for securing booth structures by weighting or attachment to prevent uplift and overturning in a wind load. These requirements shall be inspected by the Building Division. The applicant shall provide inspection and enforcement to ensure these requirements are followed.
17. The ADA parking area shall include at least two van-accessible spaces. These requirements shall be inspected by the Building Division.
18. ADA accessible portable restrooms and hand washing sink(s) shall be present on site, as required by the 2010 California Plumbing Code Section 412.3.

19. The applicant shall provide a minimum of three (3) 2A:10BC fire extinguishers (typical commercial size) on site in visible locations that shall be consistent from week to week. Walking distance between extinguishers shall not exceed 75 travel feet. All market staff shall be informed of the locations of the extinguishers.
20. The applicant shall secure one annual permit from the Fire Department for Food Booth Operations with payment of \$160. This permit shall cover all food vendors as long as the individual vendors comply with Fire Department and Health Department Standards. Fire Department approval requires County Health Department and any Building electrical permitting approval to operate.
21. All food booths shall be inspected for fire safety issues upon setup and periodically in compliance to Food Booth Operations Standard.
22. The applicant shall enforce setup lines and vendor booth compliance to prevent merchandise or booth creep over the setup lines to maintain the required fire lane clearances.
23. The applicant shall have an emergency plan in place with all vendor's knowledge for contacting emergency services and report of lost children (or parents).
24. The applicant shall have onsite a "responsible party" to act as liaison for Fire Department. The cell phone of this person shall be made available to the Fire Department.
25. The Fire Department shall have the authority to direct security personnel and vendors, if needed to maintain compliance to Food Booth Operations Standards or other life safety concerns.
26. Noise levels shall be strictly obeyed as per City ordinances.
27. Roadway barriers and temporary signage shall be constructed of a material that will not blow over in moderate winds or be heavy enough so that if they fall over will cause injury to pedestrians in the closed area.
28. The placement of barriers, cones, and temporary signage shall be the responsibility of the applicant.
29. Under no circumstances will the market be allowed to operate unless the parking lot control measures (barriers, cones, etc.) are in place and an employee is present to oversee circulation and safety.
30. Additional temporary signage (during the market) may be required to direct traffic and ensure that the market does not impact traffic on El Camino Real. The applicant shall increase or modify temporary directional signage to the satisfaction of the Police Chief and Community Development Director.
31. This approval shall be kept on site during the event and available for review by City staff.



32. The applicant or property owner shall work with Engineering staff to consider enhanced safety measures for pedestrians during market hours.
33. The applicant or property owner shall add a permanent directional sign to the internal road at the two-way drive aisle (west of the corner of JCPenney) to the satisfaction of the Community Development Director. The sign shall direct drivers to the Target and JCPenney parking structures.
34. The developer shall indemnify, defend, and hold harmless the city, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the city's consideration and/or approval of the developer's application for development.

Submitted on 07/11/12 by:

Laura Russell  
Associate Planner



**1150 El Camino Real- The Shops at Tanforan  
UP-12-006**

**Exhibit A – Site Location**



#### Officers

Chief Executive Officer  
Jessica Evans

2011-2013

Kirsten Pinochi  
President  
Recology San Bruno

2011-2012

Rosalyn Yu, CFO  
Worldwide Chiropractic

#### Board of Directors

2010-2012

Niccole Blanco  
The Shops at Tanforan

2010-2012

Marc Bura  
Slip Free Option

2011-2012

Joseph Capote  
Alain Pinel Realtors

2009-2012

Michele Enriquez Da Silva  
San Mateo Credit Union

2012-2013

Gwen Daly  
Adecco

2012-2013

Brian Lew  
Inline Connection

2009-2012

Jim O'Dowd  
O'Dowd Plumbing, Inc.

2011-2012

Johnny Patterson  
Famous Johnny's Pizza

2012-2013

Robert Riechel  
Community Member-at-large

2011-2012

Vincent Solano  
Mollie Stone's

#### City of San Bruno Liaison

Aaron Alkin  
Director of Community  
Development

#### Executive Assistant

Florie Vasquez

# San Bruno Chamber of Commerce

*Strengthening the Business Community Since 1942*

April 3, 2012

To: Mayor Ruane, Members of City Council & City Manager Jackson

Project: 2012 San Bruno Farmers' Market, at Tanforan.

## Background on why we are proposing moving the Market from downtown to the mall:

The San Bruno Chamber of Commerce has worked with the Pacific Coast Farmers' Market Association (PCFMA) since 2009, in order to bring a certified farmers' market to our community. For three years, this market was held on Sunday mornings on the 400-500 block(s) of San Mateo Avenue. The idea was to create a new activity downtown, in order to generate more foot traffic, potential customers, and new life to the Avenue. While the market has been seen as an asset by both merchants and residents alike, attendance has fallen to unsustainable numbers.

During the 2011 season, the Chamber and the PCFMA tried several creative strategies to boost attendance: changing the hours, holding special events (like "Art at the Market"), cooking demonstrations, etc. None of these boosted attendance enough to warrant continuing the market in its current state. To give some reference, opening day at the market (and the best attended), generally had about 1,200 shoppers and at least 18 vendors. By the last month of the market, there were usually less than 250 shoppers and no more than 10 vendors. As the foot traffic declined, so did vendor interest.

During the winter of 2011-12, the Chamber was approached by management at the Shops at Tanforan, who offered us the use of their parking lot for the purposes of relocating the farmers' market. While at first this concept seemed like an abandonment of San Mateo Avenue, Chamber board and staff realized that the market simply wasn't going to run again on San Mateo Avenue, and if we wanted any market at all, something significant would have to change. The high-visibility and larger venue of the Tanforan parking lot seemed like the needed change.

Ideally, the Chamber sees the following outcome, which would be a boost to both the market and the Avenue: Generate more "buzz" at the 2012 market: with 50 vendors, hundreds more attendees, and a livelier atmosphere, we will create a devoted following of not just local, but regional shoppers. Then, at the end of the 2012 season, we plan on branching off a weekday evening market to be held on San Mateo Avenue. This would not replace the weekend market, it would be in addition to it. The staff and board of the Chamber, along with the support of the PCFMA, believe that we can eventually have a weekday evening market downtown featuring prepared foods, live entertainment, and a family-friendly atmosphere, not unlike the "Hot Harvest Nights" in San Carlos.



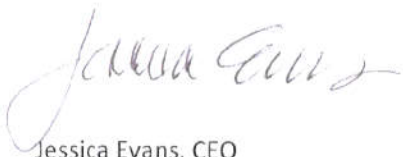
The Details of the 2012 Farmers' Market are:

- **Partners:** San Bruno Chamber of Commerce and; The Shops at Tanforan (owned by Forrest City Asset Services LLC), and; the Pacific Coast Farmers' Market Association.
- **Dates:** May 20 – November 18 2012. Every Sunday, 9am – 1pm
- **Location:** Tanforan parking area, adjacent to El Camino Real, in front of "Ulta" (see map)
- **A Note About Safety and Parking:** Because the proposed Market will be held from 9am -1pm on Sundays, and the mall opens at 11am, there will only be two hours of overlapping use in the area. We propose temporary signage, cones and barriers (see map) which will encourage Market-goers to use entrances other than the primary mall entrance on El Camino. Pedestrian safety is the number one priority, so the Market will be set up each week in such a way that a temporary sidewalk is created in front of the market stalls by barricade; and vehicular traffic will be slowed by means of cones and temporary signage.

PCFMA has agreed to pay the Special Use fee, and will not charge the Chamber or City (as it has in the past) an "investment" of several thousand dollars. The Chamber will continue to rent booths to local merchants at an affordable rate (\$50- \$100), in an area segregated from the agricultural vendors, known as the Merchant-at-the-Market. The Chamber keeps this revenue, and reinvests it into its community-oriented programming. One booth per weekend will be donated to a different non-profit or school. In other words, there is no cost to either the Chamber or City, only benefits.

We are confident that the Farmers' Market will continue to be a center of community life, good health and economic vitality in the City of San Bruno.





Respectfully submitted,



Jessica Evans, CEO  
& the 2012 Board of Directors  
San Bruno Chamber of Commerce



# Proposed San Bruno Certified Farmers' Market located at the Shops at Tanforan - 2012

-  = Road Closed Sign
-  = Road Safety Cone
-  = 6' x 18' Producer Truck
-  = 10' x 10' Producer Stall

-  = Handicap Parking (Signage will be provided by PCFMA)
-  = Temporary Signage
-  = 100' x 15' Pedestrian Buffer Area

Sundays, 9am - 1pm  
May 20 through November 18

EL CAMINO REAL

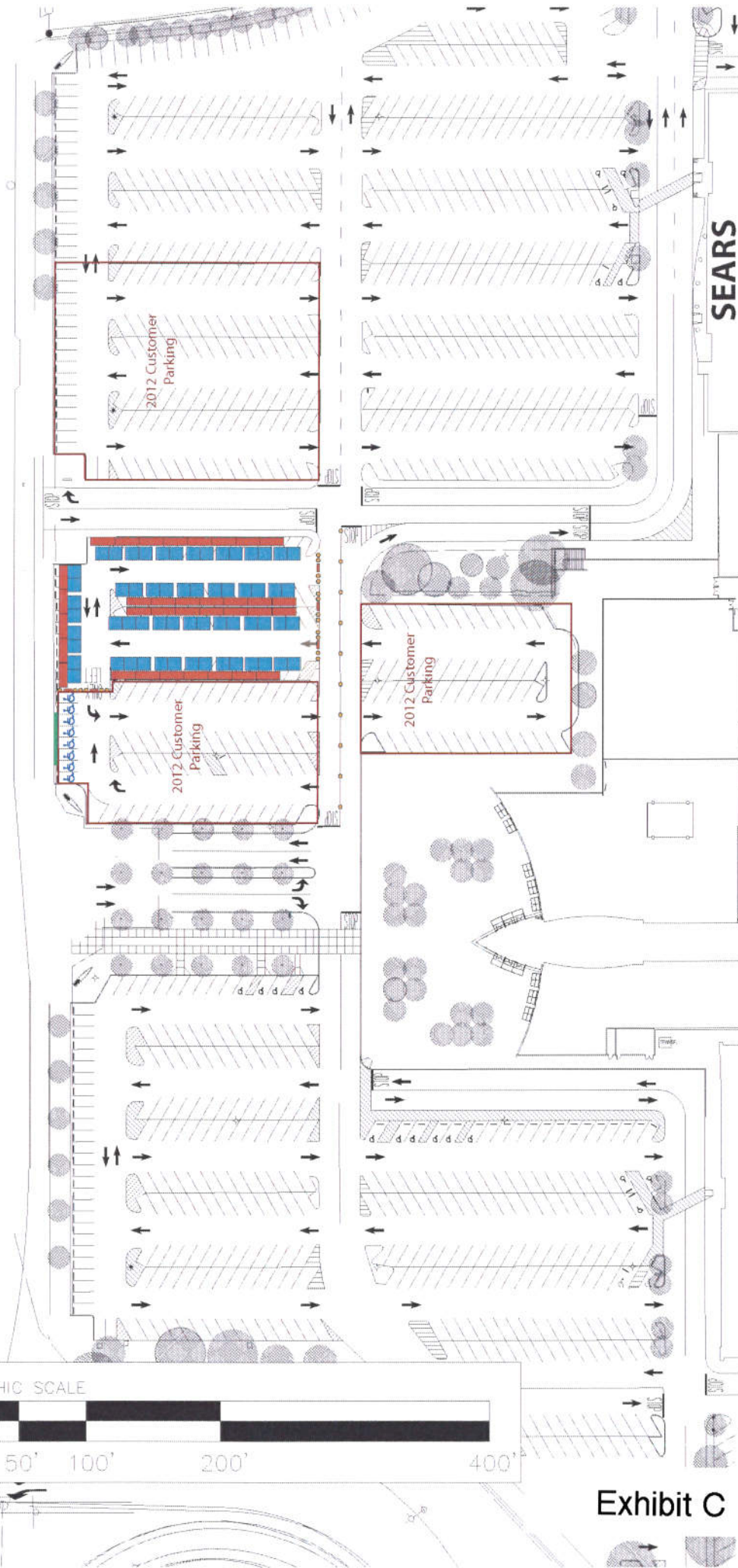


Exhibit C